GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR&RD Dept., - Orders of the Hon'ble HC., A.P., in W.P.No.24845/2021 dt:02.11.2021, filed by D.Varalakshmi, W/o Bhaskar Reddy and six others, Yerragudi GP, Banagana palli (M), Kurnool – Obstructing the Constitutional functions of the State Election Commission mandated under Article 243 (k) of the Constitution of India – placed under suspension – Orders - Issued

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PANCHAYAT RAJ AND RURAL DEVELPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No:625

Dt: 24.11.2021
Read:

Order of the Hon'ble HC., of A.P., in WP No 24845 of 2021, dt: 02.11.2021, filed by D.Varalakshmi, W/o Bhaskar Reddy and six others.

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O R D E R:-

Where as the Hon'ble High Court of A.P., in its order dt: 02.11.2021 W.P.No.24845/2021, dt:02.11.2021, filed by D.Varalakshmi, W/o Bhaskar Reddy and six others , Yerragudi GP, Banagana palli (M), Kurnool Dist., held that ....

"Having heard the submissions of the respective councils appearing on either side and upon perusal of the material placed before this court, it is clear that election for the post of Upasarpanch to the Yerragudi Gram Panchayat was not conducted from 13.02.2021 to till date. It appears from the material placed before this Court by the learned Govt., Pleader that, due to false information uploaded by the 6th respondent in the official web site of the State Election Commission stating that, one Shaik Peddinti Mabu was elected as Upasarpanch. The State Election Commission could't take steps to conduct election to the post of Upasarpanch though it is vacant from 13.02.2021. The contention of the learned standing counsel appearing for the 6th Respondent is not acceptable under these circumstances.

In the considered opinion of this Court, the Mandal Praja Parishad Development Officer who is the 6th respondent herein is responsible for not conducting election to the post of Upasarpach of Yerragudi Gram Panchayat, Banaganapalle Mandal, Kurnool District from 13.02.2021 onwards to till date.

In the aforesaid circumstances, this Court holds that, the officer who is discharging duties as MPDO, Banaganapalle (M), Kurnool (Dist) obstructed the Constitutional functions of the State Election Commission mandated under Article 243(k) of the Constitution of India, as such he is liable for appropriate action after conducting disciplinary enquiry. The 1st respondent who is the Prl Secy, PR&RD, is directed to initiate disciplinary proceedings against the officer who worked as MPDO, Banaganapalle Mandal, Kurnool District from 13.02.2021 onwards and appropriate steps has to be taken against such officer as the conduct of that officer is contrary to the interest of the public."

2. And whereas; Government after careful consideration of the available material and having due regard to the orders of Hon'ble High Court pronounced on 02.11.2021 read above, it is therefore felt necessary to place Sri K.C.Nagaprasad, MPDO, Banaganapalle (M), Kurnool Dist., under suspension.

3. Now, therefore, in exercise of the powers conferred by Rule 15 of A.P.Civil Service (C.C.&A) Rules 1991, the Government of A.P., hereby place the said Sri K.C.Nagaprasad, MPDO, Banaganapalle (M), Kurnool Dist., under suspension from the date of communication of this order and he shall continue to be under suspension in Public interest until the conclusion of the Disciplinary proceeding.

4. Sri K.C.Nagaprasad, MPDO, Banaganapalle (M), Kurnool Dist., shall, during the period of suspension, be paid subsistence allowance as is admissible under Rule 53 of FR and the CPR&RD,A.P., shall take necessary action to draw and disburse the subsistence allowance to the above individual during the period of suspension.

5. During the period of suspension, the Head Quarters of Sri K.C.Nagaprasad, MPDO, Banaganapalle (M), Kurnool Dist., shall be Kurnool, Kurnool Dist., and shall not leave the Head Quarters without obtaining prior permission of the competent authority.

6. The Commissioner, PR&RD,A.P., Tadepalli, Guntur Dist., shall take necessary further action in the matter .

(BY ORDER AND IN THE NAMEOF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K.C.Nagaprasad, MPDO, Banaganapalle (M), Kurnool Dt., through the Collector and District Magistrate Kurnool .
The Commissioner, PR&RD,A.P., Tadepalli,Guntur - to coordinate the issue .
The Collector and District Magistrate Kurnool (with a request to serve the suspension order and furnish dated acknowledgment copy). .

Copy to :

The Secretary to the State Election Commission.
The CEO,ZPP,Kurnool
The DPO,Kurnool District
The Pay and Accounts Officer, A.P., Ibrahimpatnam,Krishna Dt.,
The Accountant General, A&E,Vijayawada.
The District Treasury officer, Kurnool District.
The GP for PR&RD ,AP HC , Amaravati.
PS to Hon'ble M(PR&RD)
PS to the Prl.Secy to Govt , PR&RD.

SC copy.

// FORWARDED :: BY ORDER //

SECTION OFFICER